

Oregon Chapter, Sierra Club
2950 SE Stark, Suite 110
Portland, OR 97214
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National Marine Fisheries Service
525 NE Oregon
Portland, OR 97232

RE: NMFS Biological Opinion on the Columbia Basin Hydrosystem

The Oregon Chapter of the Sierra Club, representing over 13,000 members, is disappointed with the NMFS Biological Opinion on the Hydrosystem. Despite in several places referring to the need for a more natural ecosystem, the plan actually is a continuation of the status quo with more attention paid to more technological fixes. We see little in this plan that will move towards a more natural ecosystem. We continue to believe that breaching the lower four Snake River dams is the only alternative that is going to restore salmon in the Snake Basin to numbers that allow the U.S. government to meet Tribal and Pacific Salmon Treaty obligations, as well as allowing for meaningful sport harvest. And we believe that restoring Snake River salmon populations must be a major component of any Columbia Basin salmon restoration plan.

With the decision to defer the dam breaching option, we would expect the RPA to require major efforts to improve other factors that adversely affect salmon populations. For example, increasing flows is an alternative, albeit much less effective, than dam breaching to push juvenile migrants downstream. However, NMFS present objectives at Lower Granite are often not met (Table 6-2-2) and the current plan admits higher flows would be optimal, but then states that these flows could not be reached (9.6.1.2. 1). We disagree that these flows could not be reached, although it would require a great deal more water from Idaho agriculture. NMFS, appears unwilling to call for dam breaching, but then is also unwilling to call for alternative measures which might recover the fish.

It also appears that NMFS will give none of the benefits of high flows, when available, to salmon. Although current May-July flows are far below historic May-July flows (Figure 6.2-1), NMFS appears to set maximum flow objectives for salmon (9.1.6.2.1). Thus, while NMFS does not make sure that flow objectives are met for salmon in low flow years, they do not provide for high flows for salmon in high flow years. This appears to be a lose-lose situation for salmon-they suffer in low flow years and do not get full benefits in high flow years. Perhaps NMFS is concerned with fallback of adults in high flow years (p. 6-25), but we believe that this could easily be minimized with further research and fish ladder modifications, such as extending the upstream end of fish ladders.

In another flow-related issue, the biological opinion calls for Snake River reservoirs to operate within 1.5 feet of minimum of minimum operating pool (9.6.1.2.3), which we support. However John Day, which is by far the largest reservoir, is to operate within 1.5 feet of minimum irrigation pumping level, not minimum operating pool. Since drawing down John Day reservoir would be very unpopular for the shipping, agriculture, and power interests, we suspect that NMFS again is bowing to political expediency, rather than basing the biological opinion on what is best for the salmon. NMFS should not exempt John Day Reservoir from operating within 1.5 feet of minimum pool, requiring BPA or the Corps of Engineers to pay for extending irrigation intakes, if necessary. Furthermore, we question why all Columbia River reservoirs (Bonneville to McNary or even Wells) should not be operated within 1.5 feet of minimum pool. NMFS often takes a position against Snake River dam breaching by saying that it will only help 3 of the listed species. This is also the case with requiring only Snake River reservoirs to operate at minimum operating pool. If NMFS were to require all reservoirs to operate near minimum operating pool, all listed species upstream of Bonneville Dam would benefit.

NMFS calls for increased survival of juvenile outmigrants through the Federal hydrosystem consistent with two biological principles: 1) protecting biodiversity, and 2) favoring fish passage solutions that best fit the natural behavior patterns and river processes. However, the measures called for in the plan include more juvenile transportation in barges, and the increased use of screens and bypass systems. We fail to see how these measures fit "natural behavior patterns." We also question how these measures "protect biodiversity." We saw no mention anywhere in the RPA of lamprey, whose numbers certainly are approaching, if they have not already sunk below, levels under which they could be listed by the ESA. Increased use of screens at mainstream hydroelectric dams will likely cause increased impingement and death of juvenile lamprey. Similarly, bypass screens and extended length bypass screens have greatly increased descaling rates of juvenile sockeye salmon traveling through the federal hydrosystem. Juvenile sockeye salmon have been found to be highly sensitive to descaling. As well, juvenile transportation has never been shown to be effective for sockeye salmon. We suspect that the RPA for the hydrosystem will not only harm ESA listed Snake River sockeye salmon, but also unlisted mid-Columbia sockeye stocks to the point where those stocks may require listing under ESA.

We are concerned about the lack of concern about biodiversity elsewhere in the RPA. Burbot downstream of Libby Dam, and proposed for listing under the Endangered Species Act due to the impacts of the Federal Hydrosystem, are not mentioned at all in this plan. We could find very few references to any species other than those listed under ESA. NMFS pays lip-service to the idea of diversity, but in reality all they are concerned with is ESA listed stocks.

Despite NMFS' lack of concern with diversity of native species, they appear to have far more concern with diversity of exotic species than we would like. They propose to continue and improve the ongoing Northern Pikeminnow Management Program (9.6.1.5.1), but then only call for the evaluation of methods to control predation by exotic species

such as smallmouth bass, walleye, and channel catfish (9.6.1.5.2). We find it strange that NMFS would support a program to remove native species (pikeminnows), but not call for anything but more studies to remove non-native species. At the least, NMFS could call for an open season, with no limits, on exotic species. We suspect that, as elsewhere in this plan, the reason for NMFS' timidity in attacking exotic species is concern over political fallout from anglers who enjoy fishing for these species.

We are encouraged by NMFS' interest in modifying flood control operations to benefit the Columbia River ecosystem (p. 9-56). We strongly support operating the Columbia River to provide a more natural hydrograph as being highly beneficial to salmon. However, it would seem to us that a more natural hydrograph is likely to increase the chances of flooding in the lower Columbia River. This suggests that there should be changes in land management in the lower Columbia River to provide larger wetland buffers, which would not only allow increased flows, but also provide excellent habitat for wildlife. We see no such measures proposed in the RPA; indeed building along the river shore appears to be continuing at a rapid rate in the Portland-Vancouver area in recent years (e.g. shorefront houses in Camas and extensive development east of the airport). The more development occurs in the flood plain, the more difficult it is going to be to modify flood control operations. Yet NMFS makes no proposals to restrict development in the flood plain.

One measure that we find encouraging is the proposed water brokerage for tributary flow problems and the measure negotiating and funding long-term protection for 100 miles of riparian buffers per year. Flows in many tributaries must be increased for salmon. We do have some concerns about the riparian buffers, however. We would like to see more oversight from fishery agencies as to what areas are protected under this program. We do not believe that the decision should be solely made by BPA and such programs as CREP.

We are very disappointed that NMFS does not propose any such program in the estuary. NMFS recently has pointed to the estuary as a key component of vital importance to salmon populations. However, we see little in this program that will address the estuary. Indeed, NMFS until recently was willing to allow further degradation of the estuary resulting from the channel deepening project. We believe that NMFS should establish a similar program for the estuary to that proposed for riparian buffers, where the Corps of Engineers would restore, say, 1000 acres of estuary each year as compensation for the ongoing maintenance dredging. (Alternatively, it could be as compensation for the hydrosystem.)

We have a few specific concerns and comments on this program:

1. p. 6-33. We find it amazing that the Columbia Basin Irrigation Project, 8 years after the first listing in the Columbia Basin, still has two unscreened diversion pumps. We are appalled that this has not been corrected.
2. Section 5.3.2. We are also amazed that there are over 2500 streams and river segments and lakes do not water quality standards, and are listed under section

303(d) of Clean Water Act. Again, this is 8 years after the first listing in the Columbia Basin, and we have seen little that indicates that NMFS is doing anything about the problem.

3. Section 9.6.1.2.7. Waste water from the Columbia Basin Project, and other irrigation projects, should be monitored for pesticides and herbicides, and should be cleaned up if levels are too high.
4. We saw some mentions of harvest reform (section 9.6.3.2) in this plan, but none that specifically addressed ocean harvests. Since ocean harvests are the least selective fishery, we urge further reductions in ocean harvests of listed salmon.

In summary, we see little in this program that leads us to think that salmon will be restored to anything more than "museum" runs, if that. We see this plan as politically expedient for NMFS-calling for plenty of studies, many of which will no doubt be done by NMFS and thereby build the NMFS science bureaucracy, but little in the way of action which will benefit salmon runs. NMFS refuses to bite the bullet and say that the Snake River dams must be breached to restore Snake River salmon, but then also rules out any of the other painful measures (primarily increased flow) which must then result if there is to be any chance of salmon restoration. NMFS continues to tell the region that it can have its cake and eat it too-we can have abundant salmon and we don't have to take any painful measures to do so. We were hoping that NMFS, if dam breaching were taken off the table, would specify measures necessary to restore salmon but they have not done so. Instead, they are hoping that perhaps a change in ocean conditions will take NMFS off the hook and allow them to proclaim success, at least until the next downturn. Even if ocean conditions do not change, and runs continue to decline, NMFS has managed to duck the political heat for another five years.

Thank you for the opportunity to testify on this biological opinion.

Sincerely,

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